

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:	:	Confirmation No.: 6126
Paul Stark et al.	:	
	:	
Application No.: 10/814,293	:	Group Art Unit: 1609
	:	
Filed: April 1, 2004	:	Examiner: Jeffrey T. Palenik
For: MULTIPARTICULATE BISOPROLOL	:	
FORMULATION	:	

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Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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FILED ELECTRONICALLY ON USPTO EFS-WEB ON OCTOBER 8, 2009 BY SARAH KLOSEK, 55,332  
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**REPLY TO NOTIFICATION OF NON-COMPLIANT  
APPEAL BRIEF (37 C.F.R. 41.37)**

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed on September 9, 2009, Applicants submit herewith replacement page 4 of the Brief, which now identifies the claims on appeal.

Applicants believe there are no additional fees associated with this response. However, if there are any additional charges in connection with this response, the Commissioner is authorized to charge Applicant's deposit account number 50-1943 therefor.

Respectfully submitted,

/Sarah Klosek/

Sarah Klosek

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### **III. STATUS OF CLAIMS**

Claims 1-32 are pending. All of the presently pending claims 1-32 stand finally rejected as of November 26, 2008 (Exhibit A) and are appealed herein.